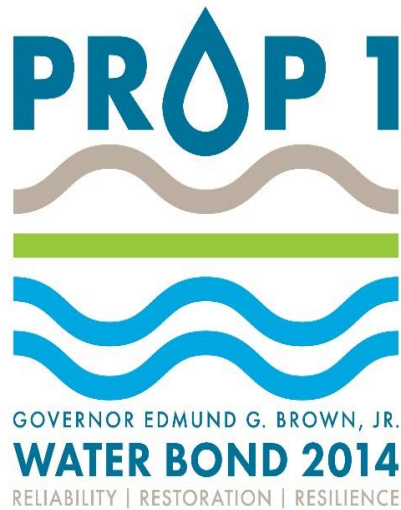


CALIFORNIA TAHOE CONSERVANCY

PROPOSITION 1 GRANT APPLICATION PACKAGE



July 2015

Grants funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*
Direct all inquiries, correspondence, and grant applications to:

California Tahoe Conservancy
1061 Third Street
South Lake Tahoe, CA 96150

(530) 542-5580 phone
(530) 542-5567 fax

www.tahoe.ca.gov
http://bondaccountability.resources.ca.gov/PDF/Prop1/PROPOSITION_1_text.pdf

PROPOSITION 1 GRANT APPLICATION PACKAGE OVERVIEW

This Grant Application Package provides instructions and all necessary forms to complete California Tahoe Conservancy (Conservancy) Proposition 1 planning, implementation, acquisition, and monitoring grant applications. Applicants should first read the Conservancy's Proposition 1 Grant Guidelines, which are posted on the Conservancy's website (www.tahoe.ca.gov), for information regarding eligible applicants, consultation requirements, guiding documents, performance measures, and the Conservancy's evaluation process and criteria. Applicants should be aware that until the Conservancy determines that the requirements of SB985 have been met, projects with primary stormwater focus will not be eligible for funding. If applicants have questions on the guidelines or application process that are not answered on the Conservancy's web page, please contact Lisa O'Daly at (530) 543-6037 or lisa.odaly@tahoe.ca.gov.

Grant Application Package Contents:

- Grant Funding and Administration Requirements Exhibits:
 - Acquisition Model Deed Language
 - Required Reporting Information
 - Operations and Maintenance Plan
- Proposition 1 Grant Application Form Other Required Forms:
 - CCC/CALCC Consultation Process and Corps Consultation Review Form
 - Land Acquisition Information Form

Schedule and Key Dates:

Sept 21: Conservation Corps Consultation Review Forms Due (Implementation and Monitoring Grants)

Oct 9: Final Complete Applications Due

Nov/Dec: Conservancy and Review Team Evaluation Process

Jan/Feb: Conservancy Staff Prepare Recommendations

March 2016: Conservancy Board Authorizes Grant Awards

Submittal Requirements:

Applicants must submit an electronic version of their full grant application, including all attachments, by October 9, 2015, to Prop1grants@tahoe.ca.gov. In addition, applicants must submit one printed hardcopy of their full grant application, including attachments, either postmarked or hand-submitted by October 9, 2015, to:

**California Tahoe Conservancy
Attention: *Proposition 1 Grant Program*
1061 Third Street
South Lake Tahoe, California 96150**

CALIFORNIA TAHOE CONSERVANCY
PROPOSITION 1
GRANT FUNDING AND ADMINISTRATION REQUIREMENTS

Eligible and Ineligible Costs

In general, only direct costs for items within the scope of the project and the timeframe of the grant agreement are eligible for payment. Indirect Costs, such as a federally approved overhead rate, may be reimbursed in lieu of direct costs. Detailed staff costs may be requested prior to reimbursement. Grant funds must be spent consistent with General Obligation Bond Law, Government Code section 16727.

Eligible expenses may be incurred by the grantee after Conservancy Board approval. Eligible activities and expenses include, but are not limited to:

Planning Grants

- review of existing data
- site analysis and base mapping
- preliminary project design necessary for environmental documentation
- opportunities and constraints analysis
- environmental review and documentation (including surveys and other environmental assessments)
- project administration
- interagency and public coordination and consultation
- preliminary specifications and cost estimates
- pre-acquisition activities (such as obtaining title reports, appraisals, legal descriptions and initial coordination with the property owners to determine if they are willing sellers. Purchase negotiations and escrow fees are not eligible expenses under planning grants but are covered by acquisition grants.)
- pre-construction monitoring related to the goals of the project
- preparation of permit applications
- other relevant costs approved by Conservancy staff

Implementation Grants

- project management/administration
- preparation of contract documents, including final design plans
- preparation of grant-required documents
- project specifications, engineering, and cost estimates
- preparation and processing of permit applications, including SWPPPs
- preparation of construction bid packages, project bidding, and award
- construction of site improvements
- utility relocation and undergrounding costs consistent with Government Code section 66907.7(d)
- project inspection, evaluation, reporting and monitoring (including compliance monitoring)
- two-thirds of the costs of relocating water or sewer-related infrastructure owned by a publically owned utility for erosion control grant funds in accordance with Government Code 66907.7(d)
- other relevant costs approved by Conservancy staff

Acquisition Grants

- acquisition of land or interests in land up to the current fair market value of the interest(s) being acquired
- pre-acquisition costs
- escrow, title, and other closing costs
- project administration
- other relevant transactional costs requested in the grant application and approved by Conservancy staff

Monitoring Grants

- monitoring equipment purchase, calibration, installation and removal
- laboratory tests and analysis
- collection and retrieval of monitoring data
- data analysis and evaluation
- preparation of monitoring reports

Ineligible activities and expenses include, but are not limited to:

- all costs incurred before grant award
- all costs related to the preparation and submittal of the grant application
- staff time to oversee contracted project management services
- staff time beyond administration of grant products and requirements
- food, refreshments and decorations
- marketing materials
- membership fees and associated costs for attendance at conferences
- ongoing project site operations and maintenance
- travel not expressly identified in the grant budget
- disallowance of per diem and mileage expenditures or at levels above State-authorized per diem amounts. Current rates are available on line in chapter 700 (Travel) of the *California State Administration Manual*
- funding for a purchase price above the appraised fair market value
- equipment that will be used for purposes that are unrelated to the project
- costs that are not substantially related to the project

Grant Administration. Grants awarded by the Conservancy are administered in accordance with the terms and conditions of the Conservancy's Board authorization, staff recommendation, grant agreement, these Grant Administration and Funding Requirements, and State requirements. Information on requirements pertaining to allowable costs, financial reporting and accounting may be found under the following:

- *State of California State Administrative Manual* section 700 Travel, section 900 Grants, and section 1600 Records Management
- Title 2: Grants and Agreements CFR Part 200 Uniform administrative requirements, cost principles, and audit requirements for Federal awards
- Procurement and acquisition for executive branch agencies governed by the Federal Acquisition Regulations (FAR).

Applicants for Conservancy grants may also be subject to additional State and federal requirements (e.g., State Public Contract and Labor Code). These requirements may extend to any assignees, contractors, subcontractors, or any other individuals or firms retained by the grant recipient to provide deliverables.

Grantees should be familiar with and maintain financial operations, records, systems, and procedures, and maintain sufficient documentation to support their expenses.

Payment of Funds. Once the grant agreement is fully executed, Conservancy grants are generally reimbursed in arrears upon the submittal of invoices monthly or quarterly, although advance requests for a percentage of the grant amount may be approved in certain instances. All reimbursement requests must be supported by appropriate invoices, purchase orders, canceled warrants/checks, payroll documents and other approved documents. Only actual and direct project-related costs incurred during the approved term of the grant agreement and other costs specified in the grant agreement budget (i.e., indirect costs/administrative overhead) are eligible for reimbursement.

Disbursements of grant funds are made incrementally, as work is satisfactorily completed. The Conservancy will retain ten percent (10%) of the total grant amount to ensure satisfactory completion of the Project. Acquisition Grants are not subject to the ten percent retention. Recipients of acquisition grants may request that land acquisition costs be paid directly to the escrow holder. All other expenses will be paid as a reimbursement upon submittal of invoices.

Signage Requirement. The grant agreement requires, to the extent practicable, onsite signage indicating that the project was funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*.

Additional Requirements for Acquisition Grants. The Conservancy requires applicants of acquisition grants to:

- submit the *Information Form for Land Acquisition*
- determine the fair market value of the land or interests in land to be acquired through an appraisal, which must be approved by the Conservancy?;
- obtain title insurance; and
- incorporate model deed language to ensure the property is maintained in perpetuity in a manner consistent with Proposition 1 and the purposes of the grant.

Applicants may use an abbreviated and faster value determination process for nominal value (defined as \$2,500 or less) and low-value (\$2,501 to \$10,000) acquisitions. Applicants are eligible for this streamlined process when there is no serious question as to the highest and best use, when adequate market data is available to make an administrative determination of value, when substantial damages or benefits are not involved, and when there is no reason to believe hazardous materials/waste is present.

Applicants shall indicate in the *Information Form for Land Acquisition* those acquisition(s) that they believe will be eligible for the streamlined valuation process. A final determination on which acquisitions are eligible for this process will be made in consultation with Conservancy staff, who will review and approve all title exceptions and valuation determinations as provided for in the standard Grant Agreement.

For nominal value acquisitions, title insurance is not required. However, a preliminary title report (PTR) is required for all acquisitions, including donations. In order to compensate for the lack of title insurance, an indemnification clause must be added to the purchase and sale agreement between the grantee and the seller. This clause must require the seller to indemnify the grantee against loss resulting from defects in the title in an amount sufficient to allow the project to be fully implemented.

Grantees may take title subject to a deed of trust or mortgage under the following conditions:

1. where a partial acquisition is a relatively small portion of a parcel, or of nominal value; and
2. the interest/easement is for improvements that are not essential to the overall functioning of the project, such as curb and gutter and pavement adjoining a right-of-way along the

perimeter of a parcel. An indemnity clause will be required in the purchase agreement for loss resulting from defects in title.

Reports and Reporting.

Progress Reports. Grantees must submit progress reports semi-annually, in April and October, and a final report when the project is completed. If the grantee bills more frequently, progress reports must be submitted with reimbursement requests. All reports should contain information consistent with **Exhibit 2**.

Operations and Maintenance Plan: Implementation and Acquisition grant recipients must submit an Operations and Maintenance Plan (**Exhibit 3**) prior to final payment. The plan should address staffing, season of operation, fire prevention, forest fuels management, maintenance of Best Management Practices, and other day-to-day operations for the project maintenance period.

Monitoring: If the project includes water quality monitoring data collection, the data must be reported to the State Water Resources Control Board in a manner that is compatible and consistent with their surface monitoring data systems (i.e., California Environmental Data Exchange Network) or groundwater monitoring data systems (California Water Code [CWC] section 79404). If the project includes watershed monitoring data collection, the data must be reported to the Department of Conservation in a manner compatible and consistent with their statewide watershed program (CWC section 79404).

Site Visits. The Conservancy may conduct periodic site visits, including a final inspection for an implementation project, to determine if the work performed is in accordance with the terms of the grant agreement. Acquisitions will be inspected into perpetuity to ensure compliance with the purpose of acquisition.

Final Payment. Grantees must submit their final invoice to the Conservancy by the deadline identified in the grant agreement. This will provide adequate time for the Conservancy to review the final invoice for completeness, conduct the final inspection, if necessary, verify that the project was completed in accordance with the grant agreement, and process the final payment (including retention).

Accounting and Audits. The Conservancy or their duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers, or other records of recipients that are pertinent to awards, in order to make audits, examinations, excerpts, transcripts, and copies of such documents. An audit may be performed before or after final payment.

State and Federal Certifications and Assurances. Grantees may be subject to State or federal funding certifications and assurances when receiving grant awards from the Conservancy. Contracts with contractor or subcontractor must also contain the appropriate certifications and assurances.

ACQUISITION MODEL DEED LANGUAGE

SUBJECT to a right of entry by the STATE OF CALIFORNIA ("State") in the event that any essential term or condition of that certain grant agreement for the acquisition of real property, No. _____ entered into between State, acting by and through the California Tahoe Conservancy and _____ (**jurisdiction**) on _____(**date**), 20____, is violated, or the property is ever used in a manner inconsistent with the provisions of the funding source (The Water Quality, Supply, and Infrastructure Improvement Act of 2014, Water Code Section 79700, et seq.). Exercise of said right of entry shall be by State's recordation of a notice of the default of _____ (**jurisdiction**) under said agreement, and shall have the effect of vesting full _____ (**jurisdiction**) title to the hereinabove described real property in State at the expiration of thirty (30) days from the recordation of said notice.

The right of entry created herein is subject to the provisions of California Civil Code Section 885.010 - 885.070, and shall be construed in accordance with said provisions (or successor statutes).

REPORTING REQUIREMENTS

SEMI-ANNUAL REPORTING

- Project Name, CTA#
- Date Submitted; Reporting Period; Prepared by
- Invoice Number
- Summary of work completed during reporting period
- Discussion of any challenges or opportunities encountered
- Schedule Assessment (describe extent to which project is on track with the submitted schedule)
- Financial Analysis (describe extent to which the project costs are consistent with the submitted budget)
- Draft products, reports, interim findings, or other relevant materials produced
- Production Summary Table:

Product	Scheduled delivery date	Actual delivery date	Amount expended this period	Total amt expended to date	% of total budget expended to date	Percent of task complete	Status

FINAL REPORTING: ALL GRANTS

- Project Name, CTA#
- Date Submitted; Prepared by
- Brief summary of the objectives of the project and how these objectives were accomplished
- Findings, conclusions, or recommendations for follow-up or ongoing activities
- Financial Analysis (Final project costs for all funding sources; e.g., identify cost overruns compared to the approved budget, any cost savings, unused funding to be returned, etc.)
- Statement, if applicable, of future intent of public and/or private support to maintain or further develop the project, including proposed submittal dates for future funding
- Media coverage, as well as all promotional and educational materials produced
- Workplan work products, including public and agency meeting summaries (electronic)

FINAL REPORTING: IMPLEMENTATION GRANTS

- Project Name, CTA#
- Date Submitted; Prepared by
- Recorded Notice of Completion
- As-Built or Record drawings
- First year and second year post construction monitoring reports. These reports include photographs (prints and electronic) of the completed project, with labels or annotations showing dates of photographs and briefly describing the subject of each picture.
- If applicable, water quality monitoring data and an analysis of the significance of this data in regard to the effectiveness of the site improvements in improving water quality.

FINAL REPORTING: MONITORING GRANTS

- Project Name, CTA#:
- Date Submitted; Prepared by
- Workplan work products, including public and agency meeting summaries (electronic)
- Reports to include data collected and obtained, maps and photographs of the areas studied, interpretation of the data relevant to the project goals and objectives, and recommendations for further study and utilization of the data and results.

OPERATIONS AND MAINTENANCE PLAN

Submit the following information, as appropriate, prior to final payment for all Implementation and Acquisition Grants:

OPERATIONS AND MAINTENANCE PLAN for Useful Life of the Improvements

- Project Name, CTA#
- Date Submitted; Reporting Period; Prepared by
- Project Elements to include:
 - *Facilities*: structures, parking lots, tables, benches, etc.
 - *Stormwater*: storm drain pipes and inlets, channels, Best Management Practices, basins, etc.
 - *Infrastructure*: electrical, potable water plumbing, irrigation, sewer, etc.
 - *Restoration*: revegetation, riparian stabilization, source control, etc.
 - *Land*: fire prevention and forest fuels management activities; property inspections
- Operations:
 - Season of Operation -- Months, Days and Hours of Operation:
 - Staffing levels during operation:
 - Operated by: (ex. Agency department, concessionaire, volunteers, etc.)
 - Estimated annual operations costs:
 - Operations funded by: (Collected revenues, donations, general fund, etc.)
- Maintenance:
 - Maintenance inspections to be performed and frequency:
 - Routine maintenance needs and triggers:
 - Routine maintenance performed by:
 - Procedure for special repairs or maintenance needs:
 - Estimated annual inspection and maintenance costs:
 - Maintenance funded by:
- Reporting: Advise the Conservancy of any other regular reporting on the operations or maintenance that occurs or is expected to occur, e.g., TMDL reporting, annual report to Council or Board in (month), etc.